

**IN THE DISTRICT COURT OF THE UNITED STATES
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION**

CRIMINAL CASE NO. 1:11cr10

UNITED STATES OF AMERICA,)	
)	
)	
vs.)	<u>ORDER</u>
)	
)	
JAMES W. "BILL" BAILEY, JR.)	
<hr style="width:40%; margin-left:0"/>)	

THIS MATTER is before the Court on the Petition of Beverly J. Daggett, the Beverly J. Daggett Individual Retirement Account, and Beverly J. Daggett Real Estate IRA, LLC [Doc. 94] filed on April 1, 2011.

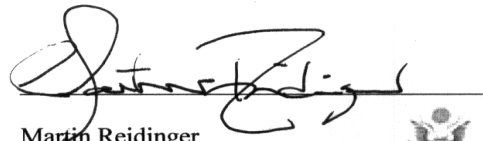
A petition filed by a third party claiming interest in property which has been ordered forfeited to the United States must "be signed by the petitioner under penalty of perjury." 21 U.S.C. § 853(n)(3). "A claimant who fails to file a verified statement has no standing to contest a forfeiture." United States v. Loria, No. 3:08cr233-2, 2009 WL 3103771, at *2 (W.D.N.C. Sep. 21, 2009) (quoting United States v. \$487,825,000 in U.S. Currency, 484 F.3d 662, 664-65 (3d Cir. 2007)). The petition filed in the instant case is not verified by the alleged claimants. Unless the required

verification is filed within fourteen days of the entry of this Order, the claimants' petition shall be dismissed.

Accordingly, **IT IS, THEREFORE, ORDERED** that Beverly J. Daggett, the Beverly J. Daggett Individual Retirement Account, and Beverly J. Daggett Real Estate IRA, LLC shall file a verification of their petition within fourteen (14) days of the entry of this Order. **The claimants are advised that failure to file the required verification will result in the dismissal of their petition.**

IT IS SO ORDERED.

Signed: April 6, 2011

A handwritten signature in black ink, appearing to read "Martin Reidinger", is written over a horizontal line.

Martin Reidinger
United States District Judge

